



# Cascade County Zoning Change Application

Cascade County Public Works Department  
Planning Division  
121 4<sup>th</sup> St No, STE 2H/I, Great Falls MT 59401  
Phone: 406-454-6905 Fax: 406-454-6919

**\$750.00 Non Refundable Application Fee**

**Payment: Check (#) 1213 + 1212 Cash**

## FOR OFFICE USE ONLY

Date Application Received: 3/7/2019 File No: \_\_\_\_\_  
Planning Board Hearing Date: \_\_\_\_\_ Action: \_\_\_\_\_  
County Commission Hearing Date: \_\_\_\_\_ Action: \_\_\_\_\_

## APPLICANT/OWNER:

Name: Trophy Property Developers, LLC (Mark C. Hawn) Phone: 406-750-6135

Mailing Address: 5890 U.S. Highway 89

City/State/Zip Code: Belt, MT 59412

Interest in property: \_\_\_\_\_

## Check which applies:

☒ Map Amendment

☐ Text Amendment, Zoning Regulations

## TECHNICAL/PROFESSIONAL PARTICIPANTS:

Name: Mark Leo, E.S. Phone: 406-727-2185

Mailing Address: P.O. Box 3625

City, State, Zip: Great Falls, MT 59403

Email: mleo@bigskyce.com

**IF THE REQUEST PERTAINS TO AN AMENDMENT TO THE TEXT OF THE ZONING REGULATIONS, PLEASE COMPLETE THE FOLLOWING:**

A. What is the proposed zoning text/map amendment?

\_\_\_\_\_  
\_\_\_\_\_

**IF THE REQUEST PERTAINS TO AN AMENDMENT TO THE ZONING MAP PLEASE COMPLETE THE FOLLOWING:**

- A. Address of the property: Little Belt Way
- B. Legal Description: 02-2781-18-3-03-01-0000 & 02-2781-19-1-02-01-0000  
(Lot/Block of Subdivision, or Geocode/Parcel #)
- C. 18 & 19/ 18 N / 7 E  
Section Township Range
- D. Total acreage: 143.98
- E. Zoning district: \_\_\_\_\_
- F. The **present** zoning of the above property is: Agricultural
- G. The **proposed** zoning of the above property is: Rural Residential 5

**APPLICATION REQUIREMENTS**

An applicant must notify the Planning Division and request a pre-application meeting with planning staff. The pre-application meeting will be scheduled within thirty (30) days of the request. At this meeting, staff will indicate the necessary information within the application, process, and timeline for the rezoning petition process. The application for a rezoning petition must include the following and any additional materials requested by Planning Staff:

- (1) A letter signed by at least one landowner within the area to be rezoned explaining the requested rezoning.  
*See attached letter*
- (2) A vicinity map of the parcels and surrounding area clearly identifying the location of the property.  
*See attached vicinity map which identifies the location of subject property.*
- (3) A legal description of the boundaries of the proposed district.  
*See attached preliminary Plat*
- (4) A lot layout plan may be required indicating some or all of the following:
  - (a) Identify any covenants, liens, easements or any other encumbrances upon the parcel. If a description will not suffice, provide copies or exhibits when necessary.
  - (b) The land area of the parcel (found on deed, subdivision plat or certificate of survey at the Office of the County Clerk and Recorder or Planning Division).
  - (c) Describe the existing land use of the parcel and neighboring areas.
  - (d) Describe the anticipated impact upon neighboring property.
  - (e) On a site plan, indicate the dimensions of the property under consideration, the size and placement of existing structures, parking areas and landscaping areas.
  - (f) On a site plan, indicate the location of existing curb cuts or access points.
  - (g) On a site plan indicate the location of any existing utilities such as water, sewer, gas, electricity, storm sewer, rivers, creeks, streams, irrigation ditches, easements, historical land marks, or any other items that may affect the application.

- (5) Cite any previous request for a zone change or variance involving the parcel, as well as any action taken on previous requests.  
*None known*
- (6) **Application Fee:** All applications for rezoning must include an application fee of seven hundred fifty dollars (\$750.00).

**THE FOLLOWING ARE THE CRITERIA BY WHICH ZONING AMENDMENTS ARE REVIEWED. PLEASE PROVIDE A RESPONSE AND DETAILED EXPLANATION FOR EACH CRITERION FOR CONSIDERATION BY THE PLANNING STAFF, PLANNING BOARD, AND COUNTY COMMISSIONERS.**

*See detailed responses attached.*

**Criteria 1:** Is the proposed amendment in accordance with the Growth Policy's five primary goals and associated objectives?

**Goal 1: Sustain and strengthen the economic well-being of Cascade County's citizens.**

**Objectives:**

- a. Stimulate the retention and expansion of existing businesses, new businesses, value-added businesses, wholesale and retail businesses, and industries including agriculture, mining, manufacturing/processing, and forest products.
- b. Stabilize and diversify the county's tax base by encouraging the sustainable use of its natural resources.
- c. Identify and pursue primary business development that complements existing business, which is compatible with communities, and utilizes available assets. Identify and pursue targeted business development opportunities to include, but not limited to, manufacturing/heavy industry, telecommunications, and youth/social services.
- d. Promote the development of cultural resources and tourism to broaden Cascade County's economic base.
- e. Foster and stimulate well-planned entrepreneurship among the county's citizenry.
- f. Promote a strong local business environment. Encourage and strengthen business support mechanisms such as chambers of commerce, development organizations and business roundtable organizations.
- g. Improve local trade capture for Cascade County businesses. Promote local shopping as well as well-planned businesses and new businesses.
- h. Network with and support other economic development efforts in the region and statewide, in recognition of Cascade County's interdependence with other communities and to leverage available local resources.
- i. Encourage the growth of the agricultural economy.
- j. Stimulate the growth of the economy by encouraging the use of alternative methods of energy production, including wind energy.

**Goal 2: Promote and maintain Cascade County's rural character and the community's historic relationship with natural resource development.**

**Objectives:**

- a. Foster the continuance of agriculture and forestry in recognition of their economic contribution and the intrinsic natural beauty of grazing areas, farmlands, and forests.
- b. Preserve Cascade County's scenic beauty and conserve its forests, rangelands and streams, with their abundant wildlife and good fisheries.
- c. Preserve Cascade County's open space setting by encouraging new development to locate near existing towns and rural settlements and by discouraging poorly designed, land subdivisions and commercial development.
- d. Assure clean air, clean water, a healthful environment and good community appearance.
- e. Support the development of natural resources including but not limited to timber, mining, oil and gas production, and renewable energy production.
- f. Continue to work with federal and state agencies to redevelop properties within Cascade County which are currently undergoing Superfund and Brownfield processes.

**Goal 3: Maintain agricultural economy.**

**Objectives:**

- a. Protect the most productive soil types.
- b. Continue to protect soils against erosion.
- c. Protect the floodplain from non-agricultural development.
- d. Support the development of value-added agricultural industry in Cascade County utilizing the products from the regional area.

**Goal 4: Retain the presence of the US Military in Cascade County.**

**Objectives:**

- a. Encourage the federal congressional delegation to actively support maintaining the current mission status at a minimum.
- b. Promote the location of additional military missions in Cascade County.
- c. Encourage the reactivation of the runway at Malmstrom Air Force Base for fixed wing operations.
- d. Refer to the Joint Land Use Study for resolving conflicts and promoting mission compatible development.

**Goal 5: Preserve and enhance the rural, friendly and independent lifestyle currently enjoyed by Cascade County's citizens.**

**Objectives:**

- a. Maintain Cascade County's citizens independent lifestyle and minimize local governmental intervention, to the extent possible, consistent with the requirements of a continually evolving economy and constantly changing population.
- b. Preserve and promote Cascade County's rich cultural heritage, rooted in natural resource development and reflected in its numerous cultural/historic sites and archaeological areas.
- c. Promote fire prevention measures throughout the county, giving special emphasis to the extreme fire hazards present at the wild land/urban interface.
- d. Encourage the continued development of educational programs and facilities, recreational opportunities and spaced and health services for all county residents.

Is the proposed amendment designed to:

- Criteria 2:** Secure safety from fire and other dangers?
- Criteria 3:** Promote public health, public safety, and the general welfare?
- Criteria 4:** Facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements?
- Criteria 5:** The reasonable provision of adequate light and air?
- Criteria 6:** The effect on motorized and non-motorized transportation systems?
- Criteria 7:** Compatible urban growth in the vicinity of cities and towns that at a minimum must include the areas around municipalities?
- Criteria 8:** The character of the district and its peculiar suitability for particular uses?
- Criteria 9:** Conserving the value of buildings and encouraging the most appropriate use of land throughout the jurisdictional area?
- Criteria 10:** Is the proposed amendment, as nearly as possible, compatible with the zoning ordinances of nearby municipalities?

*I hereby certify that the information on and attached to this application is true and correct. I understand the fees for this application are not refundable. By signing of this application I agree that the Cascade County Planning Division staff to be present on the property for routine monitoring and inspection during the application process.*

Applicant's Signature:



Date:

Mar 6 - 2019

**Criteria 1:** Is the proposed amendment in accordance with the Growth Policy's five primary goals and associated objectives?

**Goal 1: Sustain and strengthen the economic well-being of Cascade County's citizens.**

The proposed zone change will enable construction of residential lots that will enhance economic opportunity and increase utilization of existing available assets. The addition of residential lots will increase tax revenues for Cascade County, and retail spending at businesses within the County and in area communities will increase as well. The proposed zone change will create no adverse impact on the agricultural economy, or on alternative energy development and production.

**Goal 2: Promote and maintain Cascade County's rural character and the community's historic relationship with natural resource development.**

The proposed zone change is located adjacent to existing rural settlement and the subdivision was designed so major drainages, coulees, and areas near Belt Creek were left unsubdivided to maintain existing natural scenic beauty of the area. The property being considered for zone change has no forests for timber, no mining opportunity, and no oil/gas production. The zone change is not in area which is undergoing superfund or brownfield redevelopment/cleanup.

**Goal 3: Maintain agricultural economy.**

Property in the area will have no adverse impact on productive soil types associated with agricultural operations and is not considered farmland of statewide importance. The zone change had no detrimental impact to the local value-added agricultural industry.

**Goal 4: Retain the presence of the US Military in Cascade County.**

The proposed zone change has no impact on the military presence in Cascade County, and is not relevant to this goal.

**Goal 5: Preserve and enhance the rural, friendly and independent lifestyle currently enjoyed by Cascade County's citizens.**

The proposed zone change supports the County's goal in this regard by supporting the continuation of rural lifestyles that exist near the subject property. The zone change is not contrary to the preservation and promotion of the County's cultural heritage, natural resource development, and the preservation of archeological areas, see letter from historical society attached. The property considered for zone change does not have extreme fire hazard areas at the wild land/urban interface, and the zone change is not contrary to educational programs and facilities, recreational opportunities and spaces, and health services for County residents.

Is the proposed amendment designed to:

**Criteria 2:** Secure safety from fire and other dangers?

**Yes, the zone change will meet all county requirements for fire protection, and includes a centralized water cistern for fire protection water supply. Similarly, the zone change is designed for safety from other dangers.**

**Criteria 3:** Promote public health, public safety, and the general welfare?

**Yes no adverse impacts to public health, safety, general welfare will be created by the zone change.**

**Criteria 4:** Facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements?

**Yes, the property for the proposed zone change has received a Certificate of Subdivision Approval from Montana Department of Environmental Quality, and meets requirements for schools and parkland by Cascade County.**

**Criteria 5:** The reasonable provision of adequate light and air?

**Yes, light and air will not be adversely impacted by the proposed zone change.**

**Criteria 6:** The effect on motorized and non-motorized transportation systems?

**Transportation systems are in place and have been improved upon with the completion of previous phases of the subdivision. The zone change will assist with increased maintenance and improvements of existing roadways.**

**Criteria 7:** Compatible urban growth in the vicinity of cities and towns that at a minimum must include the areas around municipalities?

**The proposed zone change is compatible with growth around the town of Armington and Belt.**

**Criteria 8:** The character of the district and its peculiar suitability for particular uses?

**The proposed zone change is adjacent to existing rural residential 5 and would not create adverse impacts to the character of the district or suitability for peculiar uses.**

**Criteria 9:** Conserving the value of buildings and encouraging the most appropriate use of land throughout the jurisdictional area?

**The zone change to rural residential 5 would be consistent with adjacent zoning of the previous phases of development.**

**Criteria 10:** Is the proposed amendment, as nearly as possible, compatible with the zoning ordinances of nearby municipalities?

**The property for the proposed zone change is approximately 5 miles from Belt, which is compatible with the proposed zoning change to rural residential 5.**